

Attachment 13: AB1420 and Water Meter Implementation Compliance

All three of the project proponents acting as lead agencies for the four projects included in this Proposal are urban water suppliers; these agencies are Amador Water Agency (AWA), Calaveras County Water District (CCWD), and East Bay Municipal Utility District (EBMUD). The grant applicant and proposed grant administrator, the Upper Mokelumne River Watershed Authority (UMRWA), is not an urban water supplier and is therefore not submitting documentation of compliance with AB1420 and water meter implementation compliance.

Attachment 13 includes:

- ✓ **AB 1420 Statement of Compliance for AWA**
- ✓ **AB 1420 Statement of Compliance for CCWD**
- ✓ **AB 1420 Statement of Compliance for EBMUD**
- ✓ **Certification for Compliance with Water Metering for AWA**
- ✓ **Certification for Compliance with Water Metering for CCWD**
- ✓ **Certification for Compliance with Water Metering for EBMUD**

AB 1420 Statement of Compliance for AWA

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



December 21, 2010

Mr. Gene Mancebo
General Manager
Amador Water Agency
12800 Ridge Road
Sutter Creek, California 95685

Dear Mr. Mancebo:

The Department of Water Resources (DWR) has reviewed the Amador Water Agency's Self-Certification Statement – Tables 1 and 2 submitted on November 3, 2010, regarding implementation of the Urban Best Management Practices (BMPs).

The purpose of DWR's review is to determine eligibility of the Amador Water Agency to receive water management grant or loan funds. DWR has followed the *Draft AB 1420 Compliance Requirements* dated June 1, 2009. For detailed information, please visit <http://www.water.ca.gov/wateruseefficiency/finance/>.

Based on DWR's review of the information in Tables 1 and 2, the Amador Water Agency has and is currently implementing the BMPs consistent with AB 1420 and, therefore, is eligible to receive water management grant or loan funds.

DWR reserves the right to request additional information and documentation, including reports from the Amador Water Agency to substantiate the accuracy of the information provided in Tables 1 and 2. DWR may reverse or modify its eligibility determination and notify you and the funding agency if inaccuracies are found in the supporting documentation or in Tables 1 and 2.

If you have any questions, please contact me at (916) 651-7025 or Jodi Evans at (916) 651-7026.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fethi BenJemaa".

Fethi BenJemaa
Ag Water Use Efficiency Section Chief

AB 1420 Statement of Compliance for CCWD

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

Orig. Ed
cc: Joone
Steve/Bill



October 21, 2010

Ms. Joone Lopez
General Manager
Calaveras County Water District
Post Office Box 846
San Andreas, California 95249

Dear Ms. Lopez:

The Department of Water Resources (DWR) has reviewed the Calaveras County Water District's (CCWD) Self-Certification Statement – Table 1 and Table 2 dated September 13, 2010, regarding implementation of the Urban Best Management Practices (BMPs).

The purpose of DWR's review is to determine eligibility of CCWD to receive water management grant or loan funds. DWR has followed the *Draft AB 1420 Compliance Requirements* dated June 1, 2009. For detailed information, please visit <http://www.water.ca.gov/wateruseefficiency/finance/>.

Based on DWR's review of the information in Table 1 and Table 2, CCWD has and is currently implementing the BMPs consistent with AB 1420 and, therefore, is eligible to receive water management grant or loan funds.

DWR reserves the right to request additional information and documentation, including reports from CCWD to substantiate the accuracy of the information provided in Table 1 and Table 2. DWR may reverse or modify its eligibility determination and notify you and the funding agency if inaccuracies are found in the supporting documentation or in Table 1 and Table 2.

If you have any questions, please contact me at (916) 651-7025 or Jodi Evans at (916) 651-7026.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fethi BenJemaa'.

Fethi BenJemaa
Ag Water Use Efficiency Section Chief



AB 1420 Statement of Compliance for EBMUD

AB 1420 Self- Certification Statement Table 1

Note: Table 1 documents Status of Past and Current BMP implementation.

Self-Certification Statement: The Urban Water Supplier and its authorized representative certifies, under penalty of perjury, that all information and claims, stated in this table, regarding compliance and implementation of the BMPs, including alternative conservation approaches, are true and accurate. This signed AB 1420 Self-Certification Statement Table 1, and Table 2 are the basis for granting funds by the Funding Agency. Falsification and/or inaccuracies in AB 1420 Self Certification Statement Table 1, and Table 2 and in any supporting documents substantiating such claims may, at the discretion of the funding agency, result in loss of all State funds to the applicant. Additionally, the Funding Agency, in its sole discretion, may halt disbursement of grant or loan funds, not pay pending invoices, and/or pursue any other applicable legal remedy and refer the matter to the Attorney General's Office.

Name of Signatory: Richard Harris Title of Signatory: Manager of Water Conservation Signature of signatory: *Richard Harris* Date: 12/15/10

Application Date:

Proposal Identification Number:

CUWCC Member? Yes/No ☐ Y ☐

Has Urban Water Supplier submitted a 2005 Urban Water Management Plan? Yes/No ☐ Y ☐

Is the UWM Plan Deemed Complete by DWR? Yes/No ☐ Y ☐

Applicant Name: East Bay Municipal Utility District

Project Title:

Applicant's Contact Information: Name:

Phone:

E-mail:

Participants:

		Retailer (List Below)										Wholesaler (List Below)									

C1	C2	C3	C4	C5	C6	C7	**C8	**C9	**C10	C11	C12	C13	C14	C15	C16	C17	C18
BMPs required for Wholesale Supplier	BMPs required for Retail Supplier		BMPs	BMP Implemented by Retailers and/or Wholesalers / BMP		Options/Alternative Conservation Approaches (1)		Compliance		BMP is Exempt (2)			BMP Implementation Requirements Met				
				Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2007-2008) (MOU Signatories) (3)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No
			BMP 1 Water Survey for Single/Multi-Family Residential Customers	Y			✓	✓					Y		Dec-08		Y
	✓		BMP 2 Residential Plumbing Retrofit	Y			✓						Y		Dec-08		Y
			BMP 3 System Water Audits, Leak Detection	Y			✓						Y		Dec-08		Y
✓			BMP 3 Leak Repairs	Y			✓						Y		Dec-08		Y
✓			BMP 4 Metering with Commodity Rates for All New connections	Y			✓						Y		Dec-08		Y
	✓		BMP 4 Retrofit of Existing Connections	Y			✓						Y		Dec-08		Y

BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMP Implemented by Retailers and/or Wholesalers / BMP	Compliance Options/Alternative Conservation Approaches (1)			BMP is Exempt (2)			BMP Implementation Requirements Met								
			Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Retailer Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2007-2008) (MOU Signatories)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No	
	✓	BMP 5 Large Landscape Conservation Programs and Incentives	Y			✓						Y		Dec-08			Y
	✓	BMP 6 High-Efficiency/Washing Machine Rebate Programs	Y			✓						Y		Dec-08			Y
✓	✓	BMP 7 Public Information	Y			✓						Y		Dec-08			Y
✓	✓	BMP 8 School Education	Y			✓						Y		Dec-08			Y
	✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts	Y			✓						Y		Dec-08			Y
✓		BMP 10 Wholesale Agency Assistance Programs															
	✓	BMP 11 Conservation Pricing	Y			✓						Y		Dec-08			Y
✓	✓	BMP 12 Conservation Coordinator	Y			✓						Y		Dec-08			Y
	✓	BMP 13 Water Waste Prohibitions	Y			✓						Y		Dec-08			Y
	✓	BMP 14 Residential ULFT Replacement Programs	Y			✓	✓					Y		Dec-08			Y

*C6: Wholesaler may also be a retailer (supplying water to end water users)

**C8, **C9, **, and C10: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.

(1) For details, please see: <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.

(2) BMP is exempt based on cost-effectiveness, lack of funding, and lack of legal authority criteria as detailed in the CUWCC MOU

(3) Non MOU signatories must submit to DWR reports and supporting documents in the same format as CUWCC.

AB 1420 Self-Certification Statement Table 2

Provide Schedule, Budget, and Finance Plan to Demonstrate Commitment to Implement All BMP's to Become in Compliance with BMP Implementation - Commencing Within 1st Year of Agreement for Which Applicant Receives Funds.

Self-Certification Statement: The Urban Water Supplier and its authorized representative certifies, under penalty of perjury, that all information and claims, stated in this table, regarding compliance and implementation of the BMPs, including alternative conservation approaches, are true and accurate. This signed AB 1420 Self-Certification Statement Table 1 and Table 2 are the basis for granting funds by the Funding Agency. Falsification and/or inaccuracies in AB 1420 Self Certification Statement Table 1 and Table 2, and in any supporting documents substantiating such claims may, at the discretion of the funding agency, result in loss of all State funds to the applicant. Additionally, the Funding Agency, in its sole discretion, may halt disbursement of grant or loan funds, not pay pending invoices, and/or pursue any other applicable legal remedy and refer the matter to the Attorney General's Office.

Name of Signatory: Richard Harris Title of Signatory: Manager of Water Conservation Signature of signatory: *Richard Harris* Date: 12/15/10

Application Date:

Proposal Identification Number:

Applicant Name:

East Bay Municipal Utility District

Project Title:

Applicant's Contact Information:

Name

CUWCC Member? Yes/No

Y

Is the UWM Plan Deemed Complete by DWR? Yes/No

Y

Participants:		Retailer (List Below)	

Implementation Scheduled to Commence within 1st Year of Agreement																																		
BMP Implemented by Retailers and/or Wholesalers				Compliance Options / Alternative Conservation Approaches (1)				BMP is Exempt (2)			Funding Source & Finance Plan to Implement BMPs											Meets CUWCC Coverage	Yes/No											
CUWCC 2010 Flex Track		BMPs required for Wholesale Supplier		Retailer		Wholesaler		Regional		Alternative Conservation Approaches		BMP Checklist		Flex Track		Gallons Per Capita Per Day		Not Cost Effective		Lack of Funding		Lack of Legal Authority		Completion Level		BMP Completion Date (MM/YR)		Budget (Dollars)		Funding Source & Finance Plan to Implement BMPs		Meets CUWCC Coverage		Yes/No
				Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No		Yes/No
1. Utility Operations Programs																																		
1.11		✓	✓	BMP 12 Conservation Coordinator		Y																											Y	
1.12			✓	BMP 13 Water Waste Prohibitions		Y																											Y	
1.13		✓		BMP 10 Wholesale Agency Assistance Programs																													Y	
1.20		✓		BMP 3 System Water Audits, Leak Detection/Repair		Y																											Y	
1.30			✓	BMP 4 Metering with Commodity Rates for All New/Retrofit of Existing connections		Y																											Y	
1.40			✓	BMP 11 Conservation Pricing		Y																											Y	
2. Educational Programs																																		
2.10		✓	✓	BMP 7 Public Information		Y																											Y	
2.20		✓	✓	BMP 8 School Education		Y																											Y	
3. Residential																																		
3.11			✓	BMP 1 Indoor Water Survey for Single/Multi-Family Residential Customers		Y																											Y	
3.12				BMP 1 Outdoor Water Survey for Single/Multi-Family Residential Customers		Y																											Y	
3.20			✓	BMP 2 Residential Plumbing Retrofits		Y																											Y	

Implementation Scheduled to Commence within 1st Year of Agreement																		
CUWCC 2010 Flex Track BMPs	BMPs required for Wholesale Supplier	BMPs required for Retailer Supplier	BMP Implemented by Retailers and/or Wholesalers			Compliance Options / Alternative Conservation Approaches (1)			BMP is Exempt (2)			Completion Level (%)	BMP Completion Date (MM/YR)	Budget (Dollars)	Funding Source & Finance Plan to Implement BMPs	Meets CUWCC Coverage Yes/No	Funds Requested, if Available. (See AB 1420 Compliance Table 3) Yes/No	
			Retailer Yes/No	Wholesaler Yes/No	Alternative Conservation Approaches Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	No Cost Effective	Lack of Funding	Lack of Legal Authority							Start Date (MM/YR)
3.30	✓		Y				✓						Jan-96	100	Dec-10		Y	
3.40	✓		Y					✓					Jan-94	80	Dec-15		Y	
4. Commercial, Industrial, Institutional																		
			Y					✓					Jan-93	100	Dec-10	\$3M - \$5M annual budget	* See above	Y
4.00	✓																	
5. Landscape																		
5.00	✓		Y				✓						Jan-93	80	Dec-15	\$3M - \$5M annual budget	* See above	Y

*C6: Wholesaler may also be a retailer (supplying water to end water users)
 **C9: ** C10, and **C11: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.
 (1) For details, please see <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.
 (2) BMP is exempt based on cost-effectiveness, lack of funding, or lack of legal authority, as detailed in the CUWCC MOU.

Certification for Compliance with Water Metering for AWA



December 22, 2010

**Amador Water Agency
WATER METERING CERTIFICATION ATTACHMENT**

The Amador Water Agency (Agency) has 6952 water service customers. Of this number, 6821 or 98.1% of its customers receive metered water service and are billed on a volumetric basis. The Agency owns and operates a 150 year-old, 23 mile open-earthen canal and a treated water system (Amador Water System) which provides water to all cities in Amador County (either on a retail or wholesale basis). The Agency acquired the Amador Water System from PG&E in 1985. The System has approximately 3535 customers, 145 of which obtain raw water from the canal system.

Most of the canal customers pre-date the Agency's ownership and had arranged flat rate service accounts with PG&E, which the Agency assumed when it succeeded PG&E. The canal customers use the raw water from the canal for irrigation purposes. There are 28 customers on the canal system which pay for raw water service based on a flat rate. When there is a change of customer, the Agency requires that the service be converted to metered service. The Agency has initiated a voluntary program whereby at the customer's request, the Agency installs a "survey meter" at the service of a flat rate customer so the customer is informed of how much water they are using and can assess whether or not they want to voluntarily convert to metered service. The program provides that until the customer decides to convert, they will remain flat rate customers. There are about 11 customers who are currently participating in this voluntary program.

Similarly, some of the treated water customers which pre-date the Agency's ownership of the System had arrangements with PG&E for flat rate treated water service. The Agency has the same voluntary survey meter program and requirement for conversion to volumetric rates with change of ownership for these treated water customers. There are 103 customers which are remaining on the treated flat rate billing schedule. Of those customers, 96 are participating in the voluntary survey meter program.

Assembly Bill 2572 was approved by the Governor and filed with the Secretary of State on September 29, 2004. This bill provided certain changes to the Water Code respecting the use of volumetric pricing and water metering requirements. At that time, existing law generally required installation of water meters as a condition of new water service on or after January 1, 1992. The Agency is in compliance with this requirement. AB 2572 requires urban water suppliers to install water meters on or before January 1, 2025. The Agency is on track to comply with this requirement. AB 2752 also requires that an urban water supplier on or after January 1, 2010, subject to some exceptions, charge its metered customers based on volumetric rates.

The Agency believes that it is in compliance with the intent of AB 2572. As mentioned above, 98.1% of all of its customers are metered and are billed on a volumetric basis. Of the limited remaining flat rate customers, the Agency has a program for their conversion to metered service well in advance of 2025 deadline. The Agency has a very few flat rate customers who voluntarily requested a meter to be informed of their water usage. These voluntary survey meters therefore should not be considered as "installed meters" under Water Code section 527(a)(2)(A), as these water service connections were in place prior to 1992 (actually prior to

1985 and prior to the Agency's ownership of the System) and the meters were installed as part of a program to develop water usage information on a voluntary basis.

In addition, the Agency recently approved and submitted its Conservation Program to DWR for compliance with AB 1420, and this plan provides a schedule for conversion to volumetric rate schedules for all water services by fiscal year 2012/2013.

It is with these clarifications, that the Agency certifies compliance with Water Metering Requirements as required for state financial assistance.

Certification for Compliance with Water Metering for CCWD

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

Funding Agency name: California Department of Water Resources
Funding Program name: Proposition 84 Integrated Regional Water Management
Implementation Grant Program, Round 1
Applicant (Agency name): Calaveras County Water District
Project Title (as shown on application form): West Point Water Main and Tank
Replacement Project

Please check one of the boxes below and sign and date this form.

☐ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the agency is not an urban water supplier, as that term is understood pursuant to the provisions of section 529.5 of the Water Code.

☒ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the applicant agency has fully complied with the provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7 inclusive) and that ordinances, rules, or regulations have been duly adopted and are in effect as of this date.

I understand that the Funding Agency will rely on this signed certification in order to approve funding and that false and/or inaccurate representations in this Certification Statement may result in loss of all funds awarded to the applicant for its project. Additionally, for the aforementioned reasons, the Funding Agency may withhold disbursement of project funds, and/or pursue any other applicable legal remedy.

Joone Lopez

Joone Lopez
Name of Authorized Representative
(Please print)

General Manager

General Manager
Title

Joone Lopez
Signature

November 10, 2010

11/10/10
Date

Certification for Compliance with Water Metering for EBMUD

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

Funding Agency name: California Department of Water Resources
Funding Program name: Proposition 84 IRWM Implementation Grant Program
Applicant (Agency name): East Bay Municipal Utility District
Project Title (as shown on application form): Comanche Regional Water Treatment Plant Phase I Project

Please check one of the boxes below and sign and date this form.

☐ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the agency is not an urban water supplier, as that term is understood pursuant to the provisions of section 529.5 of the Water Code.

☒ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the applicant agency has fully complied with the provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7 inclusive) and that ordinances, rules, or regulations have been duly adopted and are in effect as of this date.

I understand that the Funding Agency will rely on this signed certification in order to approve funding and that false and/or inaccurate representations in this Certification Statement may result in loss of all funds awarded to the applicant for its project. Additionally, for the aforementioned reasons, the Funding Agency may withhold disbursement of project funds, and/or pursue any other applicable legal remedy.

RICHARD W. HARRIS
Name of Authorized Representative
(Please print)

[Signature]
Signature

MANAGER OF WATER CONSERVATION
Title

12/15/10
Date